

EXECUTIVE ORDER

No. 1995 - 1

NATIONAL VOTER REGISTRATION ACT

WHEREAS, the federal government enacted Public Law 103-31, the National Voter Registration Act of 1993 (NVRA), establishing procedures pertaining to elections for federal office; and

WHEREAS, Section 4 of the NVRA requires states to implement the Act by providing forms, procedures, personnel and offices to register voters for federal elections simultaneously with an application for a driver's license (motor voter) by mail and at certain governmental and nongovernmental offices; and

WHEREAS, in 1975, Michigan pioneered motor voter registration, which has consistently resulted in 90% of all voter registration applications or changes being processed by motor vehicle branch offices located throughout the state; and

WHEREAS, the combination of registration opportunities at motor vehicle branch offices and city or township clerk offices has resulted in excess of 85% of the eligible voting age population in the State of Michigan being registered to vote; and

WHEREAS, commencing January 1, 1995, the NVRA requires that additional state offices be designated as voter registration agencies for applicants and recipients of public assistance, to wit: Aid to Families with Dependent Children (AFDC), Medicaid, Food Stamps, and Women, Infant, Children (WIC); and

WHEREAS, commencing January 1, 1995, the NVRA further requires that state offices be designated as voter registration agencies that provide state-funded programs primarily engaged in providing services to persons with disabilities, to wit: Michigan rehabilitation services and psychiatric hospitals; and

WHEREAS, the NVRA is a federal mandate that fails to provide federal funds to implement the requirements which the Act imposes on state and local governments; and

WHEREAS, the NVRA, by compelling state and local governments to fund this federal program, necessitates diverting resources from existing programs and services already facing funding shortages; and

WHEREAS, failure to comply with the requirements of NVRA will subject a state to enforcement through litigation instituted by the United States Department of Justice, as asserted both in the public press and by letters from the United States Attorney General to the Governor, Attorney General, and Secretary of State of Michigan; and

WHEREAS, the right to vote is a fundamental right guaranteed to United States citizens under state and federal constitutions and the opportunity to register to vote is demonstrably readily accessible through the policies currently in effect in the State of Michigan; and

WHEREAS, the terms of the NVRA provide that it take effect on January 1, 1995.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, do hereby issue this order to become effective immediately:

1. The Department of State is directed to comply with the provisions of NVRA pertaining to the simultaneous application for a motor vehicle driver's license and voter registration.
2. Pursuant to Sections 7 (a) (2) (A) and 7 (a) (2) (B) of the NVRA, the following offices are hereby designated to accept applications for voter registration:

- a. Michigan Department of Social Services local offices which accept applications and administer benefits for the Aid to Families with Dependent Children (AFDC), Medicaid, and Food Stamp programs.
- b. County health department offices and other agencies which contract with the Department of Public Health which accept applications and administer benefits for the Women, Infants and Children program (WIC).
- c. Local Michigan rehabilitation services offices.
- d. Adult inpatient psychiatric hospitals operated by the Michigan Department of Mental Health
- e. Any other public office, whether or not specified by PL 103-31, which the Governor may from time to time designate by Executive Directive.

3. Consistent with state and federal law, all agencies subject to this order shall make vigorous efforts to prevent fraudulent voter registration.

4. Commencing on January 1, 1995, agencies providing voter registration services pursuant to this Order shall implement the NVRA once federal funds are made available to fully fund such purposes.

Given under my hand and the Great Seal of the State of Michigan this _____ day of January, in the Year of our Lord, One Thousand Nine Hundred Ninety-Five.-

GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE